

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: H. William BOSCH et al.  
Title: LIQUID DOSAGE COMPOSITIONS OF STABLE  
NANOPARTICULATE ACTIVE AGENTS  
Appl. No.: 10/619,539  
Filing Date: 7/16/2003  
Examiner: Susan T. Tran  
Art Unit: 1615  
Confirmation Number: 6324

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated October 8, 2008, and in the Advisory Action dated February 10, 2009, finally rejecting Claims 1-3, 5-35, 37, 39, 41, and 43-45. *This Notice of Appeal is being filed in lieu of filing a response to the non-final Office Action dated September 8, 2009.*

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[ X ] Notice of Appeal Fee.

[ X ] Not required (Fee paid in prior appeal filed on March 6, 2009).

The required fees are calculated below:

[ ]	Notice of Appeal Fee	\$0.00
[ ]	Extension month:	\$0.00
[ ]	Extension:	\$0.00
	FEE TOTAL:	\$0.00
[ ]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$0.00

It is believed that no fee is required for this filing. However, should the Patent and Trademark Office determine that a fee is necessary, please charge Foley & Lardner LLP's Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: December 7, 2009

By /Michele M. Simkin/

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